

REMARKS

In the last Office Action, the Examiner rejected claims 75-77, 83, 84, 86, and 87 and allowed claims 55-74. In addition, the Examiner indicated that claims 78-82 and 85 included patentable subject matter and would be allowable if rewritten in independent form. Applicant disagrees with the propriety of the continued claim rejections, however, in order to expedite prosecution, applicant has presented the above amendments, without prejudice or disclaimer, with the understanding that the rejected claims may be pursued in a forthcoming continuation application.

Thus, by this amendment, Applicant has amended claim 75 to include the recitations of dependent claim 79, claim 78 has been rewritten in independent form, and new claim 88 has been submitted, which comprises previous claim 85 presented in independent form. Claims 79 and 87 have been canceled, with claims 80-82 being amended to maintain proper claim dependencies.

Accordingly, Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 55-78, 80-86, and 88 in condition for allowance. Applicant submits that the proposed claim amendments do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Moreover, the content of the pending claims was previously examined and indicated as allowable by the Examiner. Therefore, this Amendment should allow for immediate action by the Examiner. It is

respectfully submitted that the entering of the Amendment would allow the Applicant to reply to the final rejections and place the application in condition for allowance.

In the outstanding office action, the Examiner provided a statement of reasons for allowance. Applicant does not necessarily agree with the Examiner's reasons why the claims patentably distinguish from the prior art. For example, Applicant does not necessarily agree with the Examiner's apparent assertion that the listed features are the only reason the claims are allowable over the prior art. Instead, Applicant submits that claims 55-78, 80-86, and 88 are patentably distinguishable from the prior art at least because the prior art, either alone or in combination, fails to teach or suggest the recitations therein.

The Examiner's Statement of Reasons for Allowance might be construed to contain characterizations of the claims and the prior art with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to any statement or characterization in the Examiner's Statement of Reasons for Allowance.

In discussing the claims in this Amendment, it is to be understood that Applicant is in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification or abstract and/or shown in the drawings. Rather, Applicant is entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

In view of the foregoing remarks, Applicant submits that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art

references cited against this application. Applicant therefore requests the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 7, 2007

By: _____



David M. Ruddy
Reg. No. 53,945
(202) 408-4000